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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Heath et al.

Attny Dkt No.003/029/SAP

Serial No.: 08/699,716

Examiner: Duffy, P.A.

Filed: August 27, 1996

Group Art Unit: 1645

Title: Recombinant F1-V Plague Vaccine

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**PETITION FOR REVIVAL OF APPLICATION**

Today's date: February 22, 1999

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D. C. 20231

Sir:

This is a petition for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b), 37 CFR 1.155(c) or 1.316(c).

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on June 19, 1998, which set a one month or 30 days period for response. The abandonment date of this application is December 19, 1998 (i.e. the day after the expiration date of the period set for response plus any extensions of time obtained therefore).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

## 1. Petition fee

[ ] Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))  
[ ] Small entity statement enclosed herewith.  
[ ] Small entity statement previously filed.  
[X] Other than small entity - fee \$1,210.00 (37 CFR 1.17(m))

## 2. Proposed response and/or fee

## A. The proposed response and fee to the above-noted Office Action in the form of response

[ ] has been filed previously on \_\_\_\_\_.  
[X] is enclosed herewith.

## B. The issue fee of \$ \_\_\_\_\_

[ ] has been paid previously on \_\_\_\_\_.  
[ ] is enclosed herewith.

## 3. Verified statement

The delay caused by the abandonment of the application was unintentional.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date: February 22, 1999

  
Charles H. Harris, Reg. No. 34,616

U.S. Army Medical Research and Materiel Command  
504 Scott Street  
Fort Detrick, Maryland 21702  
Attn: MCMR-JA (Charles H. Harris - Patent Attorney)

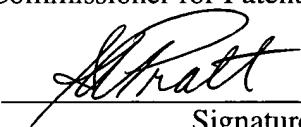
Enclosures

- Response
- Fee Payment
- Small Entity Status Form
- Other Associate Power of Attorney

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Box DAC, Washington, DC 20231.

February 22, 1999  
Date

  
\_\_\_\_\_  
Signature

Sana A. Pratt, Reg. No. 39,441  
Typed or printed name of person signing Certificate